

REMARKS

This paper is submitted in response to the Office Action mailed on January 11, 2006 and supplements the response filed on April 10, 2006. In this paper, claims 9, 18, 30, 34, 37, 39, 52, 55, 58 and 59 have been amended and claims 54 and 57 have been canceled. Claims 9, 10, 12-18, 30-35, 37, 39, 40, 45-53, 55-56, and 58-59 now remain in the application. In view of the foregoing amendments, as well as the following remarks, Applicants respectfully submit that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

Personal Interview

Applicant's counsel appreciates the courtesy extended by Examiner and Primary Examiner during the personal interview conducted on June 13, 2006. During that interview, differences between the claimed subject matter and the teachings of the prior art of record were discussed. A prototype of the invention was also provided. Proposed amendments to the independent claims to clearly overcome the outstanding rejections were also discussed. The Examiner and his Primary agreed that the proposed amendments define over the prior art of record and would put the case in a condition for allowance. Applicant has amended independent claims 9, 30, 34 and 39 to incorporate the proposed claim language as discussed during the interview.

In particular, independent claims 9, 30, 34 and 39 have been amended as discussed during the interview to recite that the friction-creating substance or stop is adapted to prevent the crimpable sleeve from falling off the archwire by movement of

the sleeve along the archwire under the weight of the sleeve when the sleeve is uncrimped.

Independent claims 9 and 34 were rejected under 35 U.S.C. § 102(b) as being anticipated by Richards. As discussed during the interview, Richards fails to teach or suggest a friction-creating substance adapted to "prevent said crimpable sleeve from falling off said archwire by movement of said sleeve along said archwire under the weight of said sleeve when said sleeve is uncrimped," as recited in claim 9. Accordingly, Applicants respectfully submit that claim 9 is allowable. Likewise, Richards does not teach or suggest "preventing the crimpable sleeve from falling off the archwire by movement of the sleeve along the archwire under the weight of the sleeve when the sleeve is uncrimped," as recited in claim 34. Accordingly, Applicants respectfully submit that claim 34 is allowable.

Independent claims 30 and 39 were rejected under 35 U.S.C. § 103(a) as being obvious over Richards in view of Bergersen. As noted above, Richards fails to teach or suggest a stop adapted to "prevent said crimpable sleeve from falling off said archwire by movement of said sleeve along said archwire under the weight of said sleeve when said sleeve is uncrimped," as recited in claim 30. Additionally, Bergersen fails to teach or suggest a modification of Richards to cure this deficiency. Accordingly, Applicants respectfully submit that claim 30 is allowable. Claim 39 has also been amended to recite "a stop adapted to prevent the crimpable sleeve from falling off the archwire by movement of the sleeve along the archwire under the weight of the sleeve when the sleeve is uncrimped." Thus for the same reasons as noted above, Applicants

respectfully submit that claim 39 is allowable.

Independent claim 34 has also been rejected under 35 U.S.C. § 103(a) as being unpatentable over Balenseifen. Balenseifen, however, does not teach or suggest the combination of elements recited in claim 34. In particular, Balenseifen does not teach or suggest "preventing the crimpable sleeve from falling off the archwire by movement of the sleeve along the archwire under the weight of the sleeve when the sleeve is uncrimped," as recited in claim 34. Accordingly, Applicants respectfully submit that claim 34 is allowable.

Moreover, as the remaining claims either depend from allowable independent claims or incorporate previously allowed subject matter, as more fully discussed in the response filed on April 10, 2006, Applicants respectfully submit that claims 10, 12-18, 31-33, 35, 37, 40, 45-53, 55-56, and 58-59 are allowable as well.

Conclusion

In view of the foregoing response including the amendments and remarks, this application is submitted to be in complete condition for allowance and early notice to this affect is earnestly solicited. If the Examiner believes any matter requires further discussion, the Examiner is respectfully invited to telephone the undersigned attorney so that the matter may be promptly resolved.

Applicants believe that no fees are due in connection with this response. However, if a petition is due or any additional fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

/Steven W. Benintendi/

Steven W. Benintendi

Reg. No. 56,297

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 421-7269 (facsimile)